

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Walter Raglin,	:	
	:	
Petitioner,	:	
	:	
v.	:	Case No. C-1-00-767
	:	Judge Rice
Betty Mitchell, Warden	:	Magistrate-Judge Merz
	:	
Respondent.	:	

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**PETITIONER'S SECOND MOTION FOR EXTENSION OF TIME  
TO FILE OBJECTIONS TO MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

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Petitioner, by and through counsel, and moves the Court for an extension of time to April 24, 2006, within which to file his objections to the Report and Recommendations filed by the Magistrate Judge on February 2, 2006 (Doc. 89) for the reasons set forth below. An extension until April 10, 2006, was previously granted.

s/James D. Owen

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Trial Attorney for Petitioner

### MEMORANDUM IN SUPPORT

Petitioner's counsel spoke with Assistant Attorney General Charles L. Willie on February 21, 2006, and at that time he said he had no objection to a reasonable period for an extension in which to file objections to the February 2, 2006 Report and Recommendations.

At that time, the Objections to the Report and Recommendation were due on February 21, 2006. On February 22, 2006, the court granted Petitioner's request for an extension until April 10, 2006.

On March 6, 2006, Attorney Owen commenced a complex jury trial in Howard v. State of Ohio which lasted until March 15, 2006, when the jury reached a verdict. Subsequently, Attorney Owen was involved in preparation for an Aggravated Murder trial scheduled to commence on April 3, 2006. Although that case was continued on the date of trial, Attorney Owen's mother suffered a severe heart attack in the late evening hours on the following day, April 4, 2006, which caused him to be out of the office until Sunday, April 9, 2006. It was necessary for Owen to make all necessary arraignments for the care of his mother because his father is a quadriplegic and therefore unable to assist in any manner.

Accordingly, Petitioner respectfully requests an extension to April 24, 2006, within which to prepare his objections to the Magistrate's Report and Recommendations.

s/James D. Owen

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**CERTIFICATE OF SERVICE**

I hereby certify that I have, this 10<sup>th</sup> day of April, 2006, served electronically through the Court's ECF System a copy of the foregoing pleading to the following attorneys of record:

Carol Ann Ellenson  
Charles L. Wille  
ASSISTANT ATTORNEY GENERAL  
Capital Crimes Section - 23<sup>rd</sup> Floor  
30 East Broad Street  
Columbus, Ohio 43215

s/James D. Owen

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